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Attorney Docket: 26610U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Group Art Unit: Unknown

GULBINS

Examiner: Unknown

Serial Number: 10/524,815

International Appl. No.: PCT/EP2003/009254

Filing Date: February 18, 2005

International Filing Date: 21 August 2003

Title: **PROPHYLAXIS AND TREATMENT OF INFECTIOUS DISEASES**

**TRANSMITTAL LETTER**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 with 17 cited References;
- (4) English Translation of International Search Report (PCT/ISA/210);
- (5) Copy of 16 cited References.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

Date: May 18, 2005

By:

**NATH & ASSOCIATES PLLC**  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [**NOTE**: One only of items a, b, c, and d must be checked.]

- [**XXX**] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- [ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.  
The enclosed statement is accompanied by [check one]:  
[ ] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or  
[ ] ii. a check in the amount required by 37 C.F.R. 1.17(p).
- [ ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.  
[ ] Certification report(e) below; and  
[ ] a check in the amount as required by 1.17(p).
- [ ] d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.
- [ ] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[ ] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[ ] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[ ] Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and/or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

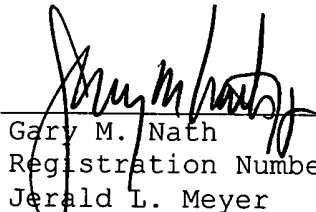
Respectfully submitted,

**NATH & ASSOCIATES PLLC**

Date: May 18, 2005

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Gary M. Nath  
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<b>FORM PTO-1449</b>		Attorney Docket: 26610U		International Appl. No.: PCT/EP2003/009254	
<b>INFORMATION DISCLOSURE CITATION</b>		Inventor: GULBINS		International Filing Date: 21 August 2003	
		Serial Number: 10/524,815		Group Art Unit: Unknown	
		Filing Date: February 18, 2005		Examiner: Unknown	

U.S. PATENT DOCUMENTS							
Exam. Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	A1	5,244,881 A (corresponds to WO 90/14089 A1)	14 Sep. 1993	Coutel-Egros			22 Nov. 1991
	A2						

FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub-Class	Translation
	A3	90/14089 A1	29 Nov. 1990	WO			
	A4						

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)		
A5		Albouz, S., et al., "Effect Of Tricyclic Antidepressants On Sphingomyelinase And Other Sphingolipid Hydrolases In C6 Cultured Glioma Cells", <u>Neuroscience Letters</u> , Vol. 36, No. 3, Pgs. 311-315, (1983). XP008023932
A6		Baumann, N., et al., "Effect Of Tricyclic Antidepressants On Lysosomal Sphingomyelinase Activity", <u>NATO ASI SERIES, SERIES A: LIFE SCIENCES</u> , Vol. 150 (Lipid Storage Disord.), Pgs. 627-634, (1988). XP008023933
A7		Brown, D.A., et al., "Functions Of Lipid Rafts In Biological Membranes", <u>Annu. Rev. Cell Dev. Biol.</u> , Vol. 14, Pgs. 111-136, (1998).
A8		Clapham, P.R., et al., "HIV-1 Receptors And Cell Tropism", <u>British Medical Bulletin</u> , Vol. 58, Pgs. 43-59, (2001).
A9		Claus, S.R., et al., "Modulation Of The Ceramide Level, A Novel Therapeutic Concept?", <u>Current Drug Targets</u> , Vol. 1, No. 2, Pgs. 185-205, (2000).
A10		Dutta, P., et al., "Antimalarial Properties Of Imipramine And Amitriptyline", <u>J. Protozool.</u> , Vol. 37, No. 1, Pgs. 54-58, (1990).
A11		Grassmé, H., et al., "Acidic Sphingomyelinase Mediates Entry Of N. Gonorrhoeae Into Nonphagocytic Cells", <u>Cell</u> , Vol. 91, Pgs. 605-615, (1997).
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A13		Grassmé, H., et al., "Ceramide-Rich Membrane Rafts Mediate CD40 Clustering", <u>The Journal of Immunology</u> , Pgs. 298-307, (2001).
A14		Harder, T., et al., "Caveolae, DIGs, And The Dynamics Of Sphingolipid-Cholesterol Microdomains", <u>Current Opinion In Cell Biology</u> , Vol. 9, Pgs. 534-542, (1997).
A15		Hauck, C.R., et al., "Acid Sphingomyelinase Is Involved In CEACAM Receptor-Mediated Phagocytosis Of <i>Neisseria gonorrhoeae</i> ", <u>FEBS Letters</u> , Vol. 478, Pgs. 260-266, (2000).
A16		Kristiansen, J.E., et al., "Inhibition Of HIV Replication By Neuroleptic Agents And Their Potential Use In HIV Infected Patients With AIDS Related Dementia", <u>International Journal Of Antimicrobial Agents</u> , Vol. 14, Pgs. 209-213, (2000). XP001056998
A17		Lauer, S.A., et al., "Sphingolipid Synthesis As A Target For Chemotherapy Against Malaria Parasites", <u>Proc. Natl. Acad. Sci. USA</u> , Vol. 92, Pgs. 9181-9185, (1995).
A18		Munoz-Bellido, J.L., et al., "Antimicrobial Activity Of Psychotropic Drugs Selective Serotonin Reuptake Inhibitors", <u>International Journal Of Antimicrobial Agents</u> , Vol. 14, Pgs. 177-180, (2000).
A19		Popik, W., et al., "Human Immunodeficiency Virus Type 1 Uses Lipid Raft-Colocalized CD4 And Chemokine Receptors For Productive Entry Into CD4 <sup>+</sup> T Cells", <u>Journal Of Virology</u> , Vol. 76, No. 10, Pgs. 4709-4722, (2002).

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.